

BOARD OF PAROLE HEARINGS

En Banc Decisions

Tuesday, October 19 2010

Compassionate Release -- Penal Code section 1170(e)

Pursuant to Government Code section 11126(c)(4)

CURRY, Richard Cortez

C35320

Compassionate Release

Motion: REFER TO COURT FOR CONSIDERATION OF SENTENCE RECALL
BECAUSE: THE PRISONER IS TERMINALLY ILL AS DEFINED IN PENAL
CODE SECTION 1170(E)(2)(A). THE CONDITIONS UNDER WHICH THE
PRISONER WOULD BE RELEASED OR RECEIVE TREATMENT DO NOT
POSE A THREAT TO PUBLIC SAFETY AS REFERENCED IN PENAL CODE
SECTION 1170(E)(2)(B).

Motion by: Melanson

Second by: Peck

Aye: Anderson, Jr., Arbaugh, Branch, Doyle, Garner, Gillingham, Melanson, Peck,
Peppler, Prizmich

Nay:

Abstain:

Not Present:

Decision: Refer to Court

En Banc Review

Pursuant to Government Code section 11126(c)(4)

EVANS, Toba

J61644

Governor Referred

Motion: AFFIRM THE MAY 21, 2010 SUITABILITY DECISION.

Motion by: Anderson, Jr.

Second by: Garner

Aye: Anderson, Jr., Arbaugh, Branch, Doyle, Garner, Gillingham, Melanson, Peck,
Peppler, Prizmich

Nay:

Abstain:

Not Present:

Decision: Affirm

MADERA, Jesus

E97745

Governor Referred

Motion: SCHEDULE A RESCISSION HEARING PURSUANT TO THE FOLLOWING
REASONS CITED IN THE GOVERNOR'S LETTER: LACKS SUFFICIENT
UNDERSTANDING OF THE CIRCUMSTANCES OF THE CRIME,
CONSISTENTLY MINIMIZES HIS ROLE IN THE LIFE CRIME AND
INFORMATION INDICATING HIS INVOLVEMENT IN CRIMINAL CONDUCT
WHILE INCARCERATED.

Motion by: Arbaugh

Second by: Branch

Aye: Anderson, Jr., Arbaugh, Branch, Doyle, Gillingham, Melanson, Peck, Peppler,
Prizmich

Nay:

Abstain: Garner

Not Present:

Decision: Schedule for a Rescission Hearing

POURAHMAD, Masieh

H08438

Governor Referred

Motion: SCHEDULE A RESCISSION HEARING PURSUANT TO THE FOLLOWING REASONS CITED IN THE GOVERNOR'S LETTER: FAILURE TO ACCEPT RESPONSIBILITY FOR HIS PRIOR CRIMINAL CONDUCT AND FAILURE TO GAIN SUFFICIENT INSIGHT INTO THE CIRCUMSTANCES OF THE LIFE CRIME.

Motion by: Branch

Second by: Peppler

Aye: Anderson, Jr., Arbaugh, Branch, Gillingham, Melanson, Peppler, Prizmich

Nay: Doyle, Garner, Peck

Abstain:

Not Present:

Decision: Schedule for a Rescission Hearing

RAMOS, Arnulfo

H65629

Governor Referred

Motion: AFFIRM THE MAY 11, 2010 SUITABILITY DECISION.

Motion by: Melanson

Second by: Peppler

Aye: Anderson, Jr., Arbaugh, Branch, Doyle, Garner, Gillingham, Melanson, Peck, Peppler, Prizmich

Nay:

Abstain:

Not Present:

Decision: Affirm

SANDOVAL, Luis Alberto

P41850

Governor Referred

Motion: AFFIRM THE APRIL 9, 2009 SUITABILITY DECISION.

Motion by: Peck

Second by: Gillingham

Aye: Anderson, Jr., Branch, Doyle, Garner, Gillingham, Melanson, Peck, Peppler, Prizmich

Nay:

Abstain: Arbaugh

Not Present:

Decision: Affirm

SIMMONS, Derek Justin

E79895

Governor Referred

Motion: MOTION #1: NOT CARRIED. SCHEDULE A RESCISSION HEARING PURSUANT TO THE FOLLOWING REASONS CITED IN THE GOVERNOR'S LETTER; HIS RECENT MISCONDUCT.

MOTION #2: CARRIED. AFFIRM THE APRIL 6, 2010 SUITABILITY DECISION.

Motion by: Peck

Second by: Branch

Aye: Anderson, Jr., Branch, Doyle, Garner, Gillingham, Melanson, Peck, Peppler

Nay: Arbaugh, Prizmich

Abstain:

Not Present:

Decision: Affirm

SIMS, Troyal Lee**H87213****Governor Referred**

Motion: AFFIRM THE MAY 12, 2010 SUITABILITY DECISION.
Motion by: Pepler
Second by: Melanson
Aye: Anderson, Jr., Arbaugh, Doyle, Garner, Gillingham, Melanson, Peck, Pepler
Nay: Branch, Prizmich
Abstain:
Not Present:
Decision: Affirm

WILLIAMS, Floyd Iii**P61139****Governor Referred**

Motion: AFFIRM THE APRIL 8, 2010 SUITABILITY DECISION.
Motion by: Garner
Second by: Anderson, Jr.
Aye: Anderson, Jr., Arbaugh, Branch, Doyle, Garner, Gillingham, Melanson, Peck, Pepler, Prizmich
Nay:
Abstain:
Not Present:
Decision: Affirm

HOWARD, Renee Louise

W-42745

Traditional Pardon

Motion

**The Board recommends that the Governor grant the
pardon request.**

Motion by:

Anderson

Second by:

Gillingham

Aye:

Anderson, Branch, Garner, Gillingham, Melanson, Peck,
Peppler, Doyle

Nay:

Arbaugh, Prizmich

Abstain:

Not Present:

Decision:

**The Board recommends that the Governor grant the
pardon request.**